

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Robert Benjamin,  
et al.

v.

Case No. 08-cv-422-SM

Vatche Manoukian,  
et al.

ORDER

Re: Document No. 154, Letter/Motion to Extend Time for 30 days to Object/Respond to [152] MOTION for Judgment.

Ruling: Denied. While not ripe, there is a pending motion (Doc. no. 152) seeking entry of judgment in favor of plaintiff on an apparent claim that defendants have breached the settlement agreement. This case was dismissed with prejudice by reason of settlement, and pursuant to Local Rule 41.1. The case is closed. Federal courts lack inherent power to enforce settlements of federal litigation. The settlement agreement was not incorporated into the dismissal order and the court did not retain jurisdiction to enforce the settlement. Accordingly, enforcement of the settlement's terms in the event of a breach must be pursued in a separate action. Kokkonen v. Guardian Life Insurance Co., 511 U.S. 375 (1994); Municipality of San Juan v. Rullan, 318 F.3d 26 (1st Cir. 2003). That motion is denied as well.

  
Steven J. McAuliffe  
Chief Judge

Date: September 30, 2011

cc: Jay Friedrich, Esq.  
Jeffery A. Zall, Esq.  
Vanuche Manukian, pro se  
Linda Haytayan, pro se